

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.6155 of 2017

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj for the respondents.

2. Petitioner herein is the Sarpanch of Peddapudi Grampanchayat in Amruthaluru of Guntur District. A show-cause notice bearing Rc.No.2210/2016-G4, dated .01.2017 was issued by the District Panchayat Officer, Guntur/third respondent herein, under Rule 42 of the Rules notified vide G.O.Ms.No.30 (PR&RD), dated 20.01.1995. While issuing the show-cause notice, the District Panchayat Officer also prohibited the petitioner from drawing general funds, 14th Finance Commission Funds, S.F.C. and all other funds lodged in the Sub-Treasury and the bank concerned for two months. Responding to the said show-cause notice, the petitioner herein submitted explanation on 07.02.2017. Subsequently, the Commissioner of Panchayat Raj and Rural Development, Vijayawada, on a representation made by the petitioner on 07.02.2017, directed the District Panchayat Officer, Guntur to consider to restore the cheque drawing power by duly following the procedure and Rules in vogue.

3. The grievance of the petitioner in the present writ petition is that though the District Panchayat Officer issued a show cause notice as long back as on 29.01.2017 and despite the orders passed by the Commissioner of Panchayat Raj and Rural Development, no action has been taken so far in the direction of concluding the enquiry pursuant to the show-cause notice dated .01.2017.

4. Having regard to the submissions of the learned counsel for the petitioner and the learned Government Pleader, this Court deems it appropriate to dispose of the writ petition by directing the District Panchayat Officer to pass final orders pursuant to the show-cause notice dated .01.2017 by fixing some time frame.

5. For the aforesaid reasons, writ petition is disposed of, directing the District Panchayat Officer/third respondent herein to conclude the enquiry and to pass final orders pursuant to the show-cause notice dated .01.2017 by considering the explanation submitted by the petitioner on 07.02.2017 and after giving notice and opportunity hearing to the petitioner herein, within a period of four weeks from the date of receipt of this order. As a sequel, the miscellaneous applications pending, if any, shall stand disposed of. There shall be no order as to costs.

Date:27.02.2017
grk



A.V.SESHA SAI, J

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